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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2240 OF 2007

The State of Maharashtra and Ors. ... Petitioner

Versus

Mrs. Sarika Satish Pradhan ... Respondent

Mr. V.P. Malvankar, A.G.P. for Petitioner.

Mr. M.D. Lonkar for Respondents.

CORAM: F.I. REBELLO &
R.M. SAVANT,JJ.
DATED: APRIL 30, 2007

P.C.:

. The Respondent had applied for voluntary retirement. That was rejected. Pursuant to that the Respondent filed Original Application No. 12 of 2007. That has been allowed by order dated 17.1.2007. The tribunal has noted that there is no power in the Petitioners to withheld the voluntary retirement considering language of Rule 65. We find no reasons on the facts to differ from the view taken. At the same time, the tribunal has also noted in Para 12 of the impugned order bearing in mind Rule 26 and 27 that it is open to the Petitioners to conduct an enquiry as set out therein.

. It is always open to the Petitioners even in the

case of voluntary retirement to proceed with the enquiry. We find no reason for interference. Hence, Petition rejected.

(R.M. SAVANT,J.) **(F.I.REBELLO, J.)**